

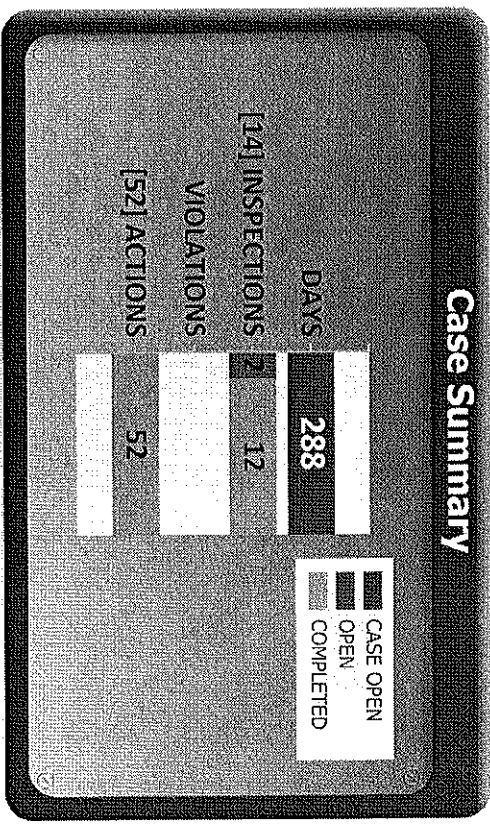


Case Details

Butte County

Case Number
CE18-0806

Description: LARGE MARIJUANA GROW		Status: LIEN PROCESS
Location: 39° 30.957'N, 121° 35.773'W		
Type: MARIJUANA	Subtype:	
Opened: 7/11/2018	Closed:	Last Action: 4/23/2019
Site Address: 1402 TEHAMMA AVE OROVILLE, CA 95965		
Site APN: 030-041-021		Officer: DEBBIE LAUGENOUR
Details:		



ADDITIONAL SITES

LINKED CASES

CONTACTS			
NAME TYPE	NAME	ADDRESS	PHONE
OWNER	MANDON ERIC & CARIE	PO BOX 151 HYDESVILLE, CA 95547	
TENANT	KEITH ALLEN	1402 TEHAMMA AVE OROVILLE, CA 95965	

VIOLATIONS

FINANCIAL INFORMATION									
DESCRIPTION	ACCOUNT	QTY	AMOUNT	PAID	PAID DATE	RECEIPT #	CHECK #	METHOD	PAID BY
D4 MM ADMIN PENALTIES LCL FINES	0010-4404000-431104-4401	0	\$65,000.00	\$0.00					
Total Paid for D4 MM ADMIN PENALTIES LCL FINES:			\$65,000.00	\$0.00					
D4 MM COSTS CHRG FOR SVCS	0010-4404000-462005-4401	0	\$4,419.05	\$0.00					
Total Paid for D4 MM COSTS CHRG FOR SVCS:			\$4,419.05	\$0.00					





Case Details

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CE18-0806

TOTALS: \$69,419.05 \$0.00

CHRONOLOGY

CHRONOLOGY TYPE	STAFF NAME	ACTION DATE	COMPLETION DATE	NOTES
72-HOUR NTC SENT	MATT FUCHS	8/23/2018	8/23/2018	72 hour notice and proof of service mailed.
CASE REVIEW and ANALYSIS	MATT FUCHS	7/13/2018	7/13/2018	Zoning- VLDL Acreage- 1.01 Dwelling- Yes District- 4 Well- Yes Allowed- Indoor only 120 sq feet 1 recommendation and 6 indoor only Setback- 15 feet
CASE REVIEW and ANALYSIS	SHAWN WILLIAMS	8/9/2018	8/9/2018	FLIGHT PREP & MAPPING
CASE REVIEW and ANALYSIS	SHAWN WILLIAMS	8/20/2018	8/20/2018	On 08/20/2018, I sorted aerial photos into individual files for the CEO in charge of this case.
CASE REVIEW and ANALYSIS	SHAWN WILLIAMS	10/1/2018	10/1/2018	UPDATED FLIGHT PREP & ADDED TO FLIGHT LIST - UPCOMING HEARING
CASE REVIEW and ANALYSIS	SHAWN WILLIAMS	11/2/2018	11/2/2018	ADDED TO FLIGHT LIST - ABATEMENT DATE NEEDED - 11/02/2018
DEMAND LETTER POSTED	BRAD LAWTON	11/20/2018	11/20/2018	Demand letter posted and photographed.



Case Details

Butte County

Case Number
CE18-0806

EMAIL	DEBBIE LAUGENOUR	9/6/2018	9/6/2018	<p>HEARING OFFICER CONFIRMATION EMAIL</p> <p>Good Afternoon:</p> <p>This email will confirm that Mr. Lyde is available to preside over our Marijuana hearing.</p> <p>Please see the case details below, and be sure to let me know if you have any questions or concerns.</p> <p>Date: 10/24/18 Time: 9:00 a.m. Location: Oroville Superior Court Case: CE18-0806 APN: 030-041-021 Address: 1402 Tehama Ave, Thermalito Owners: Mandon Eric and Carie CEO: Matt Fuchs</p> <p>Thank You</p> <p>Debbie Laugenour, Office Specialists, Sr.</p>
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Case Details

Butte County

Case Number
CE18-0806

NEW HEARING OFFICER CONFIRMATION

From: Laugenour, Debbie
Sent: Monday, October 22, 2018 12:26 PM
To: 'Leonard & Lyde' <leonardandlyde@gmail.com>
Subject: FW: Marijuana Hearing Confirmation

Good Afternoon, Sara:

This email will confirm that Ms. Winter is available to preside over our Marijuana hearing.
Please see the case details below, and be sure to let me know if you have any questions or concerns.

Date: 10/24/18
Time: 9:00 a.m.
Location: Oroville Superior Court
Case: CE18-0806
APN: 030-041-021
Address: 1402 Tehama Ave, Thermalito
Owners: Mandon Eric and Carie
CEO: Matt Fuchs

Thank You

Debbie Laugenour, Office Specialists, Sr.

EMAIL

DEBBIE LAUGENOUR

10/22/2018

10/22/2018



Case Details

Butte County

Case Number
CE18-0806

EMAIL	DEBBIE LAUGENOUR	10/22/2018	10/22/2018	<p>EMAIL RE HEARING OFFICER UNAVAILABILITY</p> <p>Hey Debbie,</p> <p>Sorry to do this but is their anyone else who can take Mr. Lyde's hearings this week, 10/24/18 and 10/25/18? We have a lot of trial prep to do. Ms. Winter is available on 10/24/18 if she is next on the list.</p> <p>Sarah Meyer</p>
EMAIL	DEBBIE LAUGENOUR	11/5/2018	11/5/2018	<p>REQUESTED COST FOR DEMAND</p> <p>From: laugenour, Debbie</p> <p>Sent: Monday, November 5, 2018 3:00 PM</p> <p>To: Tauchman, Beverly <BTauchman@buttecounty.net>; Waybright, Christine <CWaybright@buttecounty.net></p> <p>Subject: Mandon 1402 Tehama CE18-0806</p> <p>Code Enforcement has concluded its work on the above-noted case. As soon as your office has finalized its work please prepare and forward to me the cost for demand.</p> <p>Thanks</p> <p>Debbie Laugenour,</p>

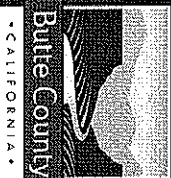


Case Details

Butte County

Case Number
CE18-0806

EMAIL	DEBBIE LAUGENOUR	11/15/2018	11/15/2018	<p>REC COST FOR DEMAND.</p> <p>Hi Debbie,</p> <p>Here is a copy of the costs in case you needed them for the demand.</p> <p>Please let me know if you need anything else.</p> <p>Beverly and I are both scheduled to be out of the office tomorrow.</p> <p>Thank you.</p> <p>Regards, Christine</p>
GENERAL NOTE	DEBBIE LAUGENOUR	9/6/2018	9/6/2018	UPDATED HEARING CALENDAR, UPDATED SPREADSHEET, CREATED HARD COPY FILE
GENERAL NOTE	DEBBIE LAUGENOUR	10/22/2018	10/22/2018	MR. LYDE HAS BECOME UNAVAILABLE FOR HEARING ON 10/24. MS. WINTER HAS AGREED TO PRESIDE. SEE CONFIRMATION EMAIL.
GENERAL NOTE	DEBBIE LAUGENOUR	10/22/2018	10/22/2018	UPDATED OUTLOOK CALENDAR AND HEARING SCHEDULE WITH NEW HEARING OFFICER.
GENERAL NOTE	DEBBIE LAUGENOUR	10/26/2018	10/26/2018	REVIEWED DECISION. ADDED VIOLATIONS TO DEMAND PREP. ADDED PENALTIES ON SPREADSHEET AND DEMAND PREP. EMAILED COPY TO CEO AND MANAGER. SCANNED AND ATTACHED IN TRAKIT. STILL NEED ABATEMENT DATE AS OF 10/26/18
GENERAL NOTE	DEBBIE LAUGENOUR	10/26/2018	10/26/2018	UPDATED HEARING SPREADSHEET WITH HEARING OFFICE CHARGES. UPDATED DEMAND FEES.



Case Details

Butte County

Case Number
CE18-0806

GENERAL NOTE	DEBBIE LAUGENOUR	11/13/2018	11/13/2018	ABATEMENT DATE IS 11/2/18. UPDATED SPREADSHEET AND FILE. From: Fuchs, Matt Sent: Tuesday, November 13, 2018 11:31 AM To: Laugenour, Debbie <DLaugenour@buttecounty.net> Cc: Waybright, Christine <CWaybright@buttecounty.net>; Tauchman, Beverly <BTauchman@buttecounty.net> Subject: ABATEMENT DATE 11/2/2018 MANDON ERIC & CARIE CE18-0806 030-041-021 ABATEMENT DATE 11/2/2018 Matt Fuchs, Code Enforcement Officer
GENERAL NOTE	DEBBIE LAUGENOUR	11/15/2018	11/15/2018	ADDED COST FROM CC TO SPREADSHEET AND DEMAND CALS. FINALIZED DEMAND LETTER. COPY TO CHRIS TO REVIEW. EMAILED COPY TO CC TO MAIL. COPY SCANNED AND ATTACHED. ADDED COST AND PENALTIES IN TRAKIT FROM DEMAND. UPDATED SPREADSHEET.
GENERAL NOTE	DEBBIE LAUGENOUR	11/20/2018	11/20/2018	ADDED COST AND PENALTIES INTO TRAKIT FROM DEMAND
GENERAL NOTE	KIM MCMILLAN	10/29/2018	10/29/2018	CREATE TRANSFER REQUEST IN THE AMOUNT OF \$33.00 FOR RECORDATION OF HEARING OFFICERS DECISION. EMAIL TO BT @ CC
GENERAL NOTE	KIM MCMILLAN	10/31/2018	10/31/2018	SCAN & ATTACHED CLERK RECORDERS RECEIPT FOR RECORDATION OF HEARING OFFICERS DECISION IN THE AMOUNT OF \$33.00. ORIGINALS TO DL IN CE
GENERAL NOTE	KIM MCMILLAN	4/23/2019	4/23/2019	SCANNED AND ATTACHED CLERK RECORDERS RECEIPT



Case Details

Butte County

Case Number
CE18-0806

GENERAL NOTE	MATT FUCHS	7/24/2018	7/24/2018	I had this address a couple of years ago. I believe the bus stop is directly across the street. Therefore, this is a "no grow" zone. Ted Weber E-mail 7/24/2018
GENERAL NOTE	SHAWN WILLIAMS	10/3/2018	10/3/2018	On 10/03/2018 following the helicopter inspection, I assisted the CEO in charge of this case by uploading the aerial photos into individual files.
GENERAL NOTE	SHAWN WILLIAMS	11/2/2018	11/2/2018	Following the flight on 11/02/2018, I assisted the CEO in charge of this case by organizing the aerial photos into individual files on the department server.
GENERAL NOTE	WILLOW EMBERLAND	11/20/2018	11/20/2018	EMAILED DEMAND LETTER TO COUNTY COUNSEL, MAILING OUT DEMAND LETTER With Roger and Shawn for photos.
HEARING CONDUCTED	MATT FUCHS	10/24/2018	10/24/2018	Hearing with Roger and Matthew Fuchs
HEARING CONDUCTED	SHAWN WILLIAMS	10/24/2018	10/24/2018	Hearing notice and proof of service mailed.
HEARING NOTICE SENT	MATT FUCHS	9/5/2018	9/5/2018	
LIEN HEARING NOTICE POSTED	BRAD LAWTON	3/18/2019	3/18/2019	Posted, photographed and added to case/laserfiche
LIEN RECORDED	WILLOW EMBERLAND	4/19/2019	4/19/2019	LIEN RECORDED ON 4/18/19
MEETING	DEBBIE LAUGENOUR	10/23/2018	10/23/2018	MET WITH GROWER, KEITH ALLEN, WHO WANTS TO TAKE FULL RESPONSIBILITY FOR THE GROW. HE SAID HE IS LIVING ON THE PROPERTY. I GAVE HIM A COPY OF THE HEARING NOTICE AND ADVISED THAT THE HEARING IS TOMORROW AT 9 A.M. AT THE BUTTE COUNTY COURTHOUSE OROVILLE AT 9:00 A.M. HE SAID HE DOESN'T KNOW ANYTHING ABOUT THESE PROCEEDINGS BUT WILL BE THERE. I ALSO GAVE HIM MATT'S CARD.



Case Details

Butte County

Case Number
CE18-0806

MEETING	DEBBIE LAUGENOUR	12/17/2018	12/17/2018	GROWER, KEI, CAME INTO THE OFFICE AND MET WITH KEN TO DISCUSS SETTLEMENT. HE WANTED A REDUCTION IN THE PENALTIES BUT HAD NO MONEY TO PAY. KEN ADVISED THAT UNLESS A SETTLEMENT WAS REACHED AND PAYMENT MADE THAT WE WOULD BE TAKING THE CASE TO LIEN.
OPENED CASE	DEBBIE LAUGENOUR	7/11/2018	7/11/2018	
PHONE CALL	DEBBIE LAUGENOUR	9/6/2018	9/6/2018	CALLED ADMIN AND GOT HEARING OFFICER ASSIGNMENT. CALLED HEARING OFFICER TO CHECK AVAILABILITY.
RECEIVED COMPLAINT	DEBBIE LAUGENOUR	7/11/2018	7/11/2018	LOBBY COMPLAINT OF A LARGE MARIJUANA GROW.
SCANNING	DEBBIE LAUGENOUR	7/11/2018	7/11/2018	SCANNED AND ATTACHED COMPLAINT
SCANNING	DEBBIE LAUGENOUR	10/26/2018	10/26/2018	SCANNED AND ATTACHED HEARING OFFICE INVOICE
SCANNING	DEBBIE LAUGENOUR	11/15/2018	11/15/2018	SCANNED AND ATTACHED COST FOR DEMAND
SCANNING	WILLOW EMBERLAND	11/20/2018	11/20/2018	SCANNED AND ATTACHED DEMAND LETTER
SCANNING	WILLOW EMBERLAND	4/2/2019	4/2/2019	SCANNED AND ATTACHED PROPOSED LIEN AND SPECIAL ASSESSMENT
SCANNING	WILLOW EMBERLAND	4/16/2019	4/16/2019	SCANNED AND ATTACHED NOTICE OF LIEN
TRAVEL	BRAD LAWTON	10/2/2018	10/2/2018	Travel to Airfield
TRAVEL	BRAD LAWTON	11/20/2018	11/20/2018	Travel for Demand Letter posting.
TRAVEL	BRAD LAWTON	3/18/2019	3/18/2019	Travel for posting. .5
TRAVEL	MATT FUCHS	8/3/2018	8/3/2018	Travel time for attempted inspection.
TRAVEL	MATT FUCHS	8/17/2018	8/17/2018	Travel time for helicopter inspection.
TRAVEL	MATT FUCHS	8/22/2018	8/22/2018	Travel time for 72 hour posting.
TRAVEL	MATT FUCHS	9/5/2018	9/5/2018	Travel time to post hearing notice.
TRAVEL	MATT FUCHS	10/24/2018	10/24/2018	Travel time to hearing.
TRAVEL	SHAWN WILLIAMS	11/2/2018	11/2/2018	0.25 HOUR TRAVEL TIME - OROVILLE AIRPORT - 11/02/2018

INSPECTIONS



Case Details

Butte County

Case Number
CE18-0806

INSPECTION TYPE	INSPECTOR	SCHEDULED DATE	COMPLETED DATE	RESULT	REMARKS	NOTES
72 HOUR INSPECTION						
72 HOUR NOTICE POSTED	MMWF	8/22/2018	8/22/2018	COMPLETED	Notice posted	Posted 72 hour notice at 14:00 hours with Phil Preader for officer safety. Arrived at the residence and was able to post the 72 hour notice. I photographed the notice from the front driveway area. The property owner was issued/posted a 72 hour notice with corrections; Remove all marijuana outside due to setback from school bus stop. The 72 hour notice had the case number and APN number to contact me with correction.
72 HOUR NOTICE POSTED	PRP	8/22/2018	8/22/2018	COMPLETED	2nd Officer	Posted 72 hour notice at 14:00 hours with Matthew Fuchs for officer safety.
COMPLIANCE INSPECTION						
HEARING NOTICE POSTED	MMWF	9/5/2018	9/5/2018	COMPLETED	HEARING NOTICE POSTED	Hearing notice posted at 11:15 hours with Brad Lawton for officer safety. Arrived at the residence and was able to post hearing notice. I photographed the notice from the front driveway area.
HEARING NOTICE POSTED	BTL	9/5/2018	9/5/2018		2nd Officer	Posted hearing notice with Matthew Fuchs for officer safety.
HELICOPTER INSPECTION	BTL	10/2/2018	10/2/2018		PHOTOGRAPHER	
HELICOPTER INSPECTION	SDW	10/2/2018	10/2/2018		NAVIGATOR	
HELICOPTER INSPECTION	SDW	8/17/2018	8/17/2018	CONFIRMED	MARIJUANA OBSERVED	Shawn Williams (NAV) AND Rand Smith (PICS). BCC 34A AND 34 C VIOLATIONS OBSERVED. PICS TAKEN.
HELICOPTER INSPECTION	RJS	8/17/2018	8/17/2018	CONFIRMED	2nd Officer	Shawn Williams (NAV) AND Rand Smith (PICS). BCC 34A AND 34 C VIOLATIONS OBSERVED. PICS TAKEN.



Case Details

Butte County

Case Number
CE18-0806

HELICOPTER INSPECTION	SDW	11/2/2018	11/2/2018	HAZARD ABATED	NAVIGATOR	NAVIGATOR - MMJ ABATED
HELICOPTER INSPECTION	TAT	11/2/2018	11/2/2018	HAZARD ABATED	PHOTOGRAPHER	PHOTOGRAPHER
INITIAL SITE INSPECTION	MMWF	8/3/2018	8/3/2018		Attempted	Attempted site inspection with Phil Preadar for officer safety. Locked gate, no answer to car horn, left card with instructions. Place on fly list.
INITIAL SITE INSPECTION	PRP	8/3/2018	8/3/2018		2nd Officer	Attempted site inspection with Matthew Fuchs for officer safety.

ATTACHMENTS

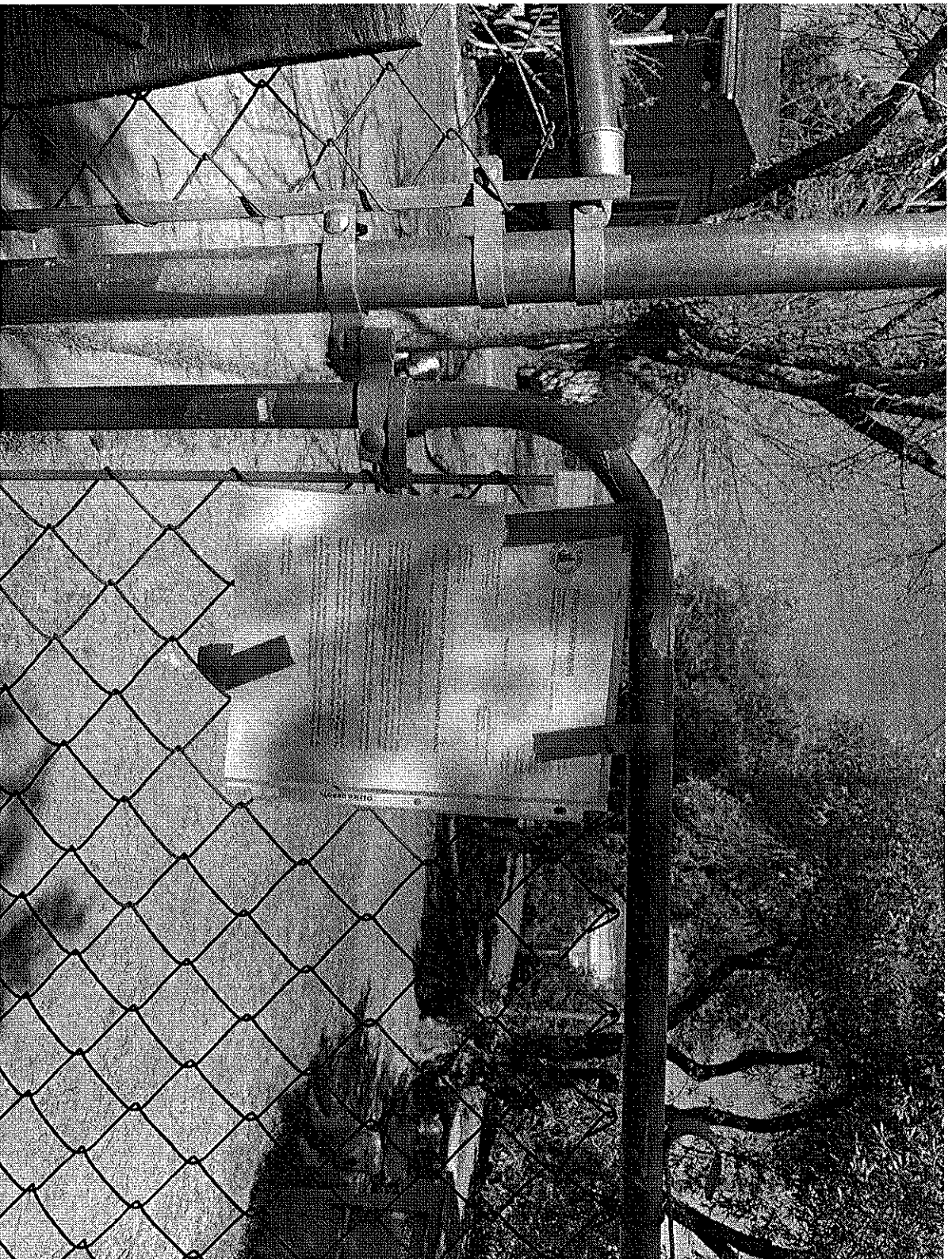
APN: 030-041-021

CASE #: CE18-0806

ADDRESS: 1402 TEHAMA AVE.

DATE: 3/18/2019

CEO: BL



APN: 030-041-021

CASE #: CE18-0806

ADDRESS: 1402 TEHAMA AVE.

DATE: 3/18/2019

CFO: BL

LIEN HEARING NOTICE POSTING





7 County Center Drive
Oroville, California 95965

T: 530.552.3702
F: 530.538.7785

buttecounty.net/dds

FORM NO.
DCE-04

RESTRICTIONS ON CANNABIS CULTIVATION 72-HOUR NOTICE TO ABATE ORDINANCE VIOLATION

Date Issued & Posted: 8/22/18

Case #: CE18-0806

City: Oroville

Parcel #: 030-041-021

Owner: Madison Eric & Carrie

Tenant: CWT

You are hereby on notice, pursuant to Butte County Code Chapter 34A and/or Chapter 34C, you are maintaining a public nuisance on the above-referenced property by:

- ☒ Cultivation area is greater than authorized size -- BCC 34A-4
- ☒ Number of plants being cultivated is greater than authorized -- BCC 34C-4
- ☐ Indoor grow required for parcel size -- BCC 34A-4(b)(1); BCC 34C-4(a)(2)
- ☐ Parcel does not have a legal residence -- BCC 34A-3(n); BCC 34A-4(a); BCC 34C-3(m)
- ☐ Setback violation from parcel line and/or residence -- BCC 34A-8; BCC 34C-8
- ☒ Setback violation from a youth-oriented facility, school, park, church, residential treatment facility, school bus stop, or an occupied residential structure. BCC 34A-8(b)(1)(2)(3); BCC 34C-8(b)(1)(2)(3)
- ☐ Marijuana plants in public view -- BCC 34A-8(b)(4); BCC 34C-8(b)(3)
- ☐ Fencing (no fencing, unapproved materials, plants taller than fence, unsecure access, etc.) BCC 34A-10; BCC 34C-10
- ☐ Indoor grow building violations (no permit, residential grow, no ventilation, etc.) -- BCC 34A-3(h)

You are also on notice that an Administrative Penalty of \$500 per day will accrue each day that the nuisance exists for the first 72 hours that you are in violation. If the violation is not corrected within 72 hours, the Penalty will increase to \$1000 per day for each day you are in violation and the matter will be set for a Nuisance Abatement Hearing. In order to prevent the accrual of ongoing penalties and costs, it is your obligation to contact the Code Enforcement Officer, arrange a time for a Code Enforcement Officer to re-inspect your property, and demonstrate that all violations have been corrected. If you fail to do so and a Nuisance Abatement Hearing is scheduled, you will be required to pay all costs and penalties, which, if not paid, will become a lien on your property.

Butte County Code Enforcement Officer
530.538.6000 Main Office
My signature above acknowledges delivery of this 72-Hour Notice to Abate

Owner/Tenant/Cultivator
My signature above acknowledges receipt of this 72-Hour Notice to Abate

PROOF OF SERVICE BY MAIL

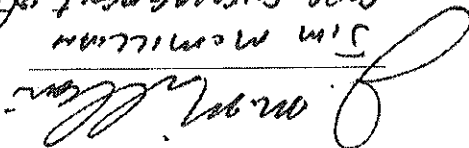
I am a citizen of the United States and employed in the County of Butte. I am, and was at the time of the service hereinafter mentioned, over the age of eighteen years and not a party to the within action. My business address is Department of Development Services, Building Division. 7 County Center Drive, Oroville, California 95965. I am readily familiar with the County's practice for collection and processing of correspondence/documents for mailing with the United States Postal Service and that said correspondence/documents are deposited with the United States Postal Service in the ordinary course of business on the same day.

On August 23, 2018 I served the foregoing 72 HOUR NOTICE TO ABATE ORDINANCE VIOLATION on the person(s) named below by placing a true copy thereof in a sealed envelope, with first class postage thereon fully paid, addressed as indicated below, and by placing said envelope in the appropriate place within the Department of Development Services where mail is collected for mailing with the United States Postal Services on the same day.

MANDON ERIC & CARIE
PO BOX 151
HYDESVILLE, CA 95547

MANDON ERIC & CARIE
1402 TEHAMA AVE
OROVILLE, CA 95965

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on August 23, 2018 Oroville, California.


Jim Williamson
Code Enforcement Officer

Case #: CE18-0806

MANDON ERIC & CARIE
PO BOX 151
HYDESVILLE, CA 95547

RETURN SERVICE REQUESTED



Butte County Department of Development Services
BUILDING * PLANNING * CODE ENFORCEMENT
7 County Center Drive
Oroville, CA 95965

MANDON ERIC & CARIE
1402 TEHAMA AVE
OROVILLE, CA 95965

RETURN SERVICE REQUESTED



Butte County Department of Development Services
BUILDING * PLANNING * CODE ENFORCEMENT
7 County Center Drive
Oroville, CA 95965



Butte County Department of Development Services
TIM SNELLINGS, DIRECTOR | PETE CALARCO, ASSISTANT DIRECTOR
7 County Center Drive Oroville, CA 95965 530.538.7601 Telephone 530.538.7785
Facsimile www.buttecounty.net/dds

CASE# CE18-0806

RESTRICTIONS ON CANNABIS CULTIVATION COMPLAINT FORM

Date: 7/11/18

Property Owner: MANDON ERIC & CARIE

Parcel: 030-041-021

Alleged Violation Address: 1402 TEHAMA AVE

City: OROVILLE

Complaint Types:

Check violation(s) that apply **AND** include written remarks below.
(Code section is listed with violation for reference) (BCC = Butte County Code)

- | | |
|-------------------------------------|---|
| <input checked="" type="checkbox"/> | Cultivation Area Violation (over max sq ft/ratio) (Medical Cannabis Cultivation) |
| <input checked="" type="checkbox"/> | Cultivation of more than six plants per parcel (Non-Medical Cannabis Cultivation) |
| <input type="checkbox"/> | Parcel does not have a legal residence |
| <input type="checkbox"/> | Outdoor grow on a parcel 0.5 acre or less (Medical Cannabis) |
| <input type="checkbox"/> | Outdoor grow on parcel 5.0 acres or less (Non-Medical Cannabis Cultivation) |
| <input checked="" type="checkbox"/> | Setback violation (please specify below in detail) |
| <input checked="" type="checkbox"/> | Cannabis plants are in public view |
| <input checked="" type="checkbox"/> | Fencing (no fence on parcel less than 5 acres, unapproved materials, plants are taller than fence, unsecure access, etc.) |
| <input checked="" type="checkbox"/> | Building violations (no permit and larger than 120sq feet, unpermitted electrical, no ventilation, etc.) |
| <input checked="" type="checkbox"/> | Does not meet Recommendation Requirements (Medical Cannabis) |
| <input checked="" type="checkbox"/> | Grower residency requirements |
| <input checked="" type="checkbox"/> | No permitted permanent water supply or no municipal sewer system/permitted sewage disposal system |
| <input checked="" type="checkbox"/> | Illegal use, disposal and/or storage of chemicals |
| <input type="checkbox"/> | Other: |

❖ For environmental complaints contact Environmental Health at 530.538.7281 or
202 Mira Loma Dr, Oroville, CA 95965

Please describe the violation(s) in the space provided below:
COMPLAINT OF A LARGE MARIJUANA GROW,
NO RECOMMENDATIONS AND GROWER,
RESIDENCY REQUIREMENTS NOT MET.

MANDON - COSTS FOR DEMAND LETTER

Addesses:

Eric and Carrie Mandon
1402 Tehama Avenue
Thermalito, CA 95965

Eric and Carrie Mandon
1402 Tehama Avenue
Oroville, CA 95965

APN 030-041-021

CE 18-0806

Costs to date:

Title Report \$50.00
Recording-Decision 33.00
Attorney Time 500.00
Total \$583.00

Tim Snellings, Director
Pete Calarco, Assistant Director

Department of Development Services



7 County Center Drive
Oroville, California 95965

T: 530.552.3702
F: 530.538.7785

buttecounty.net/dds

November 20, 2018

Carie & Eric Mandon
1402 TEHAMA AVE
OROVILLE, CA 95965
Carie & Eric Mandon
PO BOX 151
HYDESVILLE, CA 95547
Keith Allen
1402 TEHAMA AVE
OROVILLE, CA 95965

DEMAND FOR PAYMENT OF NUISANCE ABATEMENT COST AND PENALTIES

To the Property Owners of 1402 TEHAMA AVE, OROVILLE, CA, APN 030-041-021:

You are hereby notified that the County of Butte, pursuant to Butte County Code Chapters 34A and 34C, has incurred costs associated with a public nuisance on property located at 1402 TEHAMA AVE, OROVILLE, CA, APN 030-041-021, CE18-0806, and hereby demands payment of its Abatement costs, Administrative costs and Administrative Penalties. The public nuisance on the above property consisted of violations within Butte County Code Chapters 34A Restriction of Cultivation of Medical Marijuana & 34C Restriction of Cultivation of Non-Medical Marijuana specifically: 34A-4(b)(2) Cultivation area is greater than allowed, 34A-6(a)(1) Grower residency requirements not met, 34A-8(b)(1) Grow areas is too close to a school bus stop, 34C-4(a)(2) Cultivation may only take place indoors on parcels less than 5 acres, 34C-6 Grower residency requirements not met, and 34C-8(b)(1) Grow areas is too close to a school bus stop. As a result, and pursuant to Butte County Code Chapter 34A & 34C, you are responsible for paying the sum of **\$69,416.05** to the County of Butte pursuant to the Hearing Officer's decision dated October 24, 2018.

A breakdown of the costs incurred are as follows:

Administrative Penalties	\$	65,000.00
Staff Time	\$	3,195.25
Hearing Officer Charges	\$	883.80
Aerial Inspection	\$	244.88
Recording & Title Fees	\$	83.00
Postage	\$	12.12
TOTAL DUE:	\$	69,419.05

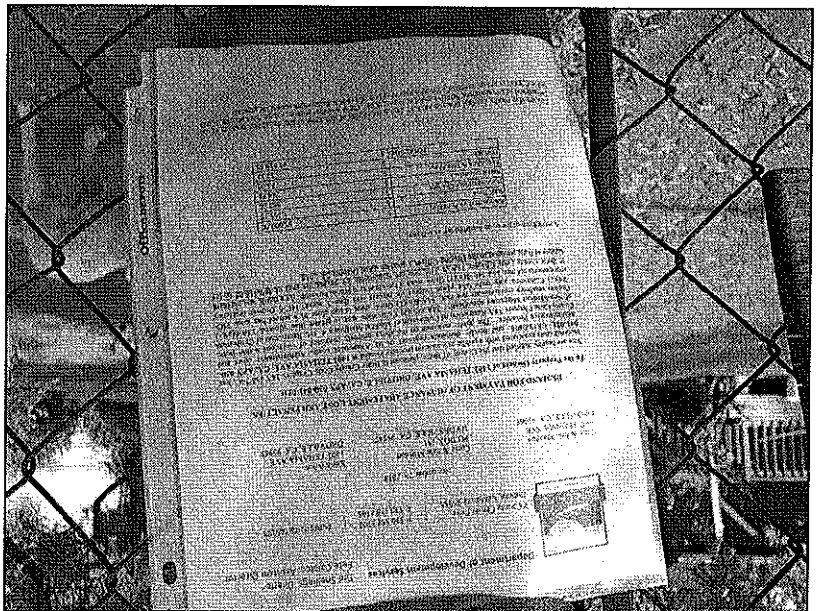
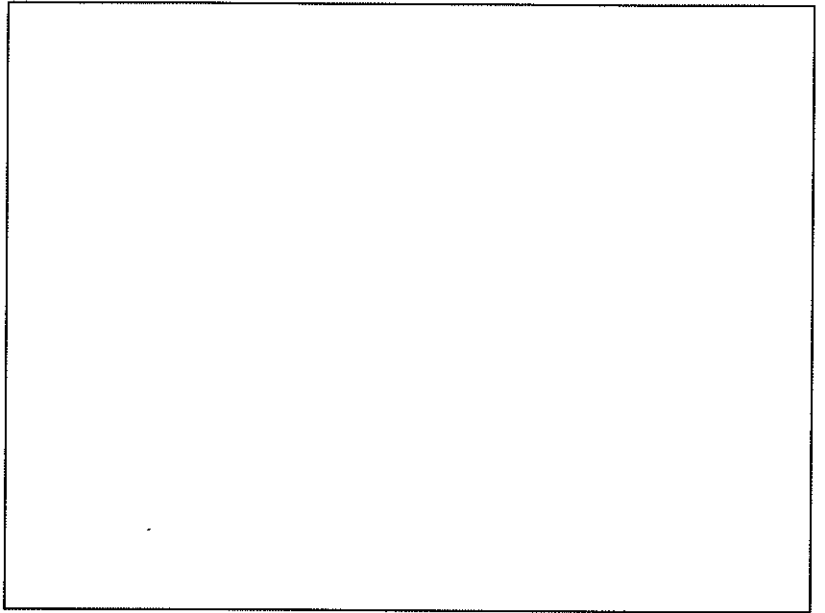
You are also hereby notified that you have 15 days from receipt of this letter to pay the above amounts to the Department of Development Services and that failure to pay above amounts within 15 days from service of this bill will result in the recording of a lien and the imposition of a special assessment against the property.

This year the Department of Development Services might consider a Marijuana Hearing Settlement Agreement offer of 40% of the penalties plus administrative costs. If you are interested in agreeing to a settlement with Butte County, prior to a lien being scheduled for the Board of Supervisors, please call our office to schedule an appointment immediately. If a lien is placed on your parcel, it will be for the full amount of penalties and administration costs. Once a lien has been placed on your property a settlement offer will not be an option.

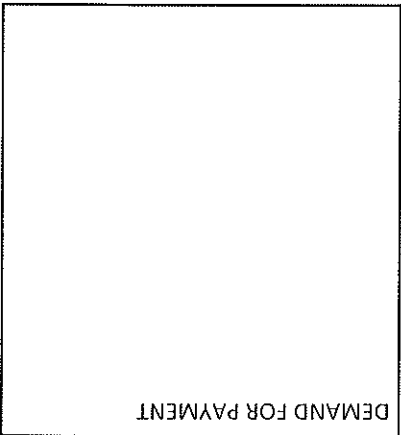
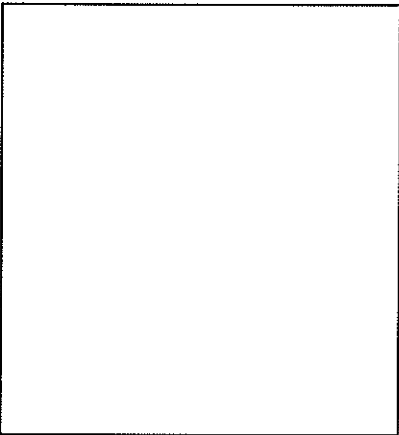
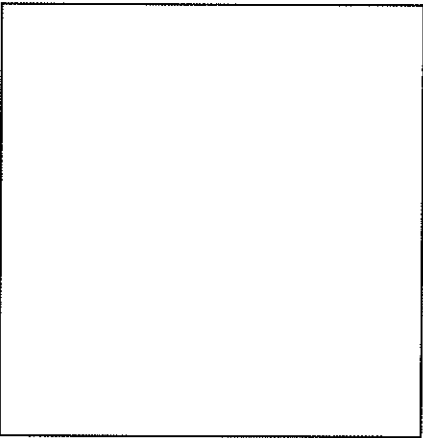
Tim Snellings, Director



Butte County Department of Development Services

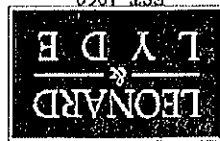


DEMAND FOR PAYMENT



BUTTE
COUNTY
OCT 26 2018
DEVELOPMENT
SERVICES

1600 Humboldt Road, Suite 1
Chico, CA 95928
(530) 345-3494
TX ID # 94-1543197



Invoice submitted to:
Butte Co. Dept. of Develop. Services
Kim McMillan, Administrative Assistant
7 County Center Drive
Oroville, CA 95965
APN 030-041-021; CE18-0806
10/24/2018
INVOICE # 9754

SERVICE DATE	ITEM	PROFESSIONAL SERVICES/ COSTS	HRS/AMT	RATE	CHARGE
10/24/2018	MLW	Prepare Nuisance Abatement Decision	2.8	180.00	504.00
10/24/2018	MLW	Travel to Oroville, attend nuisance abatement hearing, return	2	180.00	360.00
		Subtotal: For Professional Services Rendered			864.00
10/24/2018	Postage	Postage		19.80	19.80
		Subtotal of all costs			19.80

Charges \$883.80
Payments \$0.00
Balance \$883.80

BILL CONNELLY
First District
DEBRA LUCERO
Second District
TAMI RITTER
Third District
STEVE LAMBERT
Fourth District
DOUG TEETER
Fifth District

Board of Supervisors

Minute Order No.: 040919 – 5.03.1.



Meeting Date:

April 9, 2019

Item Subject:

Code Enforcement Case No. CE18-0806; 1402 Tehama Avenue, Oroville; APN 030-041-021
On October 24, 2018, a Hearing Officer declared a public nuisance existed on the property
listed. This hearing has been scheduled to authorize the Board of Supervisors to record a
special assessment and lien to recover the County's costs and penalties for Code
Enforcement Case No. CE18-0806 for the property located at 1402 Tehama Avenue in
Oroville (Assessor's Parcel Number 030-041-021) as a special assessment of \$4,419.05
(costs) and proposed lien of \$65,000 (penalties).

Board Action:

Approved the proposed lien of \$65,000 and a special assessment of \$4,419.05.

Vote:

Ayes: Supervisors Connelly, Teeter, and Chair Lambert
Noes: Supervisors Lucero and Ritter
Absent: None
Not Voting: None

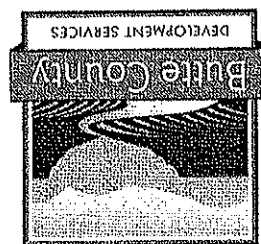
Certification:

I hereby certify that the above action was taken by the Butte County Board of Supervisors on
the date listed above.

April 9, 2019
Ashley Snyder, Assistant Clerk of the Board



Department of Development Services



7 County Center Drive
Oroville, California 95965

T: 530.552.3702
T: 530.538.7785

buttecounty.net/dds

TIM SNELLINGS, DIRECTOR
PETE CALARCO, ASSISTANT DIRECTOR

FORM NO
DCE-12

NOTICE OF NUISANCE ABATEMENT HEARING

Owner Name: MANDON ERIC & CARIE

CASE #: CE18-0806

The owner(s) and occupant(s) of real property described on the latest equalized Butte County tax roll as A.P.N. 030-041-021, and having a street address of 1402 TEHAMA AVE, OROVILLE, CA is (are) hereby notified to appear before a Hearing Officer of the County of Butte at One Court Street Oroville, CA 95965 on Wednesday, October 24, 2018, at the hour of 9 o'clock a.m., to show cause, if any there be, why the use of said real property should not be found to be a public nuisance and abated pursuant to the Butte County Code Chapter 34A and/or Butte County Code Chapter 34C. The Department of Development Services has determined that conditions exist on the above property which constitute a public nuisance and violate Butte County Code section(s) BCC 34A-4 Cultivation Area is greater than authorized, BCC 34C-8(b)(1)(2)(3) setback plants being cultivated is greater than authorized, BCC 34C-8(b)(1)(2)(3); BCC 34C-8(b)(1)(2)(3) school bus violation from a youth-oriented facility, school, church, park, church, residential treatment facility, school bus stop, or an occupied residential structure, BCC 34A-6(a)(1); BCC 34C-6 Grower residency requirements. After hearing, if a violation is found to have existed at the time the Notice of Nuisance Abatement Hearing was posted on the property, the Administrative Costs incurred in prosecuting the violation, including, but not limited to, the cost of the Hearing Officer, the cost of prior time and expenses associated with bringing the matter to hearing, attorneys' fees, the cost associated with any appeals from the decision of the Hearing Officer, the cost of judicially abating the violation, the cost of labor and material necessary to physically abate the violation, the cost of securing expert and other witnesses, and the accrual of any Administrative Penalties, may become a lien against the subject property and may also be assessed against the property in the same manner as taxes. If a lien is recorded, it will have the same force and effect as an abstract of judgment which is recorded as a money judgment obtained in a court of law. If you fail to appear at the hearing or if you fail to raise any defense or assert any relevant point at the time of hearing, the County will assert, in later judicial proceedings to enforce an order of abatement, that you have waived all rights to assert such defenses or such points.

In preparing for such hearing, you should be aware that if an initial showing is made by the County, sufficient to persuade the Hearing Officer that a public nuisance existed on your property at the time the Notice of Nuisance Abatement Hearing was posted, you will then have the burden of proving that no public nuisance existed on your property. Therefore, you should be prepared to introduce oral and documentary evidence proving why, in your opinion, your use of the property is not a public nuisance as defined in this Chapter. A copy of the Butte County Code Chapter 34A and 34C relating to Medical and Non-Medical Marijuana Cultivation and nuisance abatement hearings is enclosed to assist you in the preparation of your presentation. If an initial showing sufficient to persuade the Hearing Officer that a public nuisance existed on your property is made by the Code Enforcement Officer, your failure to sustain the burden of showing that no public nuisance existed on the property may result in a decision by the Hearing Officer that a public nuisance did exist, and that the County is entitled to recover its Administrative Costs, and all Administrative Penalties that accrued up to the time that the nuisance was abated. Further, if the Hearing Officer finds that a public nuisance continues to exist on your property, and you fail to abate the nuisance promptly, the County may abate the nuisance. If the County abates the nuisance, in addition to being able to recover its Administrative Costs and Penalties, you

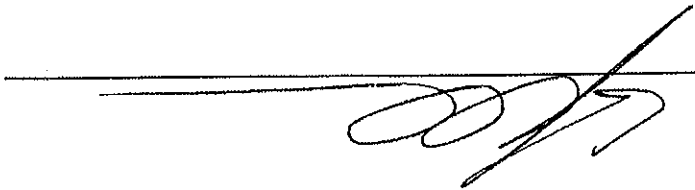
may be responsible for the actual costs of the abatement. In either circumstance, all Administrative Costs, Abatement Costs, and Administrative Penalties may be specially assessed against your parcel by the Auditor-Controller's Office and added to the your tax bill as a special assessment. Such special assessments have the same priority, for collection purposes, as other county taxes and, if not paid, may result in a forced sale of your property. You are also hereby notified that the County will seek recovery of attorneys' fees incurred in any hearing and that attorneys' fees may be recovered by the prevailing party. Finally, if the Hearing Officer finds that a public nuisance exists on your property, a violation of the Butte County Code Chapter 34A, the County will contend that you are bound by such finding at any subsequent judicial action to enforce the Hearing Officer's order.

IMPORTANT: READ THIS NOTICE CAREFULLY. IN ADDITION TO ANY ADMINISTRATIVE CIVIL PENALTIES THAT HAVE ALREADY ACCRUED, AN ADMINISTRATIVE CIVIL PENALTY OF \$1,000 PER DAY IS HEREBY IMPOSED FROM THE DATE THIS NOTICE WAS POSTED ON YOUR PROPERTY, AND WILL CONTINUE TO ACCRUE AT THAT RATE UNTIL THE NUISANCE IS ABATED. IN ORDER TO PREVENT THE ACCRUAL OF ONGOING PENALTIES AND COSTS, YOU MUST CONTACT THE CODE ENFORCEMENT OFFICE, AND ARRANGE A TIME FOR A CODE ENFORCEMENT OFFICER TO INSPECT YOUR PROPERTY, AND CONFIRM THAT THE VIOLATION(S) HAVE BEEN CORRECTED. FAILURE TO APPEAR AND RESPOND AT THE TIME SET FORTH IN THIS NOTICE WILL LIKELY RESULT IN ADMINISTRATIVE AND/OR JUDICIAL ABATEMENT AND TERMINATION OF USES OF OR CONDITIONS ON YOUR PROPERTY WHICH THE DIRECTOR OF DEVELOPMENT SERVICES CONTENDS ARE IN VIOLATION OF THE BUTTE COUNTY CODE.

Please contact MATT FUCHS, Nuisance Abatement Code Enforcement Officer, at 530.552.3702 or 530.693.7631 if you have any questions regarding your nuisance abatement case or this hearing notice.

Dated: September 5, 2018 BUTTE COUNTY DIRECTOR OF DEVELOPMENT SERVICES

By:



Enclosure: Butte County Code Chapter 34A and 34C

Rec'd
Matthew R. R.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on September 5, 2018 Oroville, California.

MANDON ERIC & CARIE
1402 TEHAMA AVE
HYDESVILLE, CA 95965
PO BOX 151
MANDON ERIC & CARIE
HYDESVILLE, CA 95547

On September 5, 2018 I served the foregoing HEARING NOTICE on the person(s) named below by placing a true copy thereof in a sealed envelope, with first class postage thereon fully paid, addressed as indicated below, and by placing said envelope in the appropriate place within the Department of Development Services where mail is collected for mailing with the United States Postal Services on the same day.

I am a citizen of the United States and employed in the County of Butte. I am, and was at the time of the service hereinafter mentioned, over the age of eighteen years and not a party to the within action. My business address is Department of Development Services, Building Division. 7 County Center Drive, Oroville, California 95965. I am readily familiar with the County's practice for collection and processing of correspondence/documents for mailing with the United States Postal Service and that said correspondence/documents are deposited with the United States Postal Service in the ordinary course of business on the same day.

PROOF OF SERVICE BY MAIL

County of Butte
CODE ENFORCEMENT DIVISION
7 County Center Drive
Oroville, CA. 95965
RETURN SERVICE REQUESTED

ERIC & CARIE MANDON
1402 TEHAMA AVE
OROVILLE, CA 95965

CEB-0806 mf

County of Butte
CODE ENFORCEMENT DIVISION
7 County Center Drive
Oroville, CA. 95965
RETURN SERVICE REQUESTED

ERIC & CARIE MANDON
PO BOX 151
HYDESVILLE, CA 95547

4518-0800 m2

Recording Requested By
When recorded, return to:
Butte County Counsel
25 County Center Drive
Suite 210
Oroville, CA 95965
(530) 552-4070

BUTTE
COUNTY
APR 16 2019
DEVELOPMENT
SERVICES

Department of Development Services
7 County Center Drive
Oroville, CA 95965

NOTICE OF LIEN FOR
ABATEMENT OF PUBLIC NUISANCE

LIEN NO:

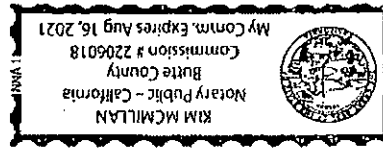
TO: Carie & Eric Mandon
Keith Allen
1402 Tehama Avenue
Oroville, CA 95965
Carie & Eric Mandon
P. O. Box 151
Hydesville, CA 95547

NOTICE IS HEREBY GIVEN that the County of Butte, pursuant to Butte County Code Chapters 34A and/or 34C, has incurred costs associated with the abatement of a public nuisance on the following property and hereby claims a lien for the abatement and administrative costs incurred from the abatement of the public nuisance on said property located at 1402 Tehama Avenue, Oroville, CA 95965, APN 030-041-021.
The following information is provided in accordance with Butte County Code Section 34A-13(i) and/or 34C-13(i):

1. Record owner or possessor: Carie & Eric Mandon.
2. Last known address of record owner or possessor: P. O. Box 151, Hydesville, CA 95547.
3. Description of real property subject to lien: Assessor Parcel Number: 030-041-021 located at 1402 Tehama Avenue, Oroville, CA 95965.
4. Date upon which the decision of the Hearing Officer was issued: 10/24/18.
5. Date lien approved by the Board of Supervisors: 4/9/19.

Place Notary Seal Above

Signature _____
 Signature of Notary Public



WITNESS my hand and official seal.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

personally appeared _____
 Name(s) of Signer(s)
 Pete Calarco
 On 4/16/2019 before me, _____
 Date
 Kim McMillan, Notary Public
 Here Insert Name and Title of the Officer
 State of California Butte County of _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

Civil Code § 1189

GOVERNMENT CODE SECTION 6103
 FEE EXEMPT PER

From and after the time of the filing of this notice of lien, the total amount of unpaid abatement and administrative costs required to be paid by the person or persons named above constitutes a lien upon the real property owned by said persons. This lien has the force, effect and priority of a judgment lien for a period of ten years from the time of the recording of this instrument unless sooner released or otherwise discarded.

By: _____
 Assistant Director of Development Services
 PETE CALARCO,

Dated this 16th day of April, 2019.

7. Total amount of lien: \$65,000.00.
6. Amount of administrative penalties to date: \$65,000.00.

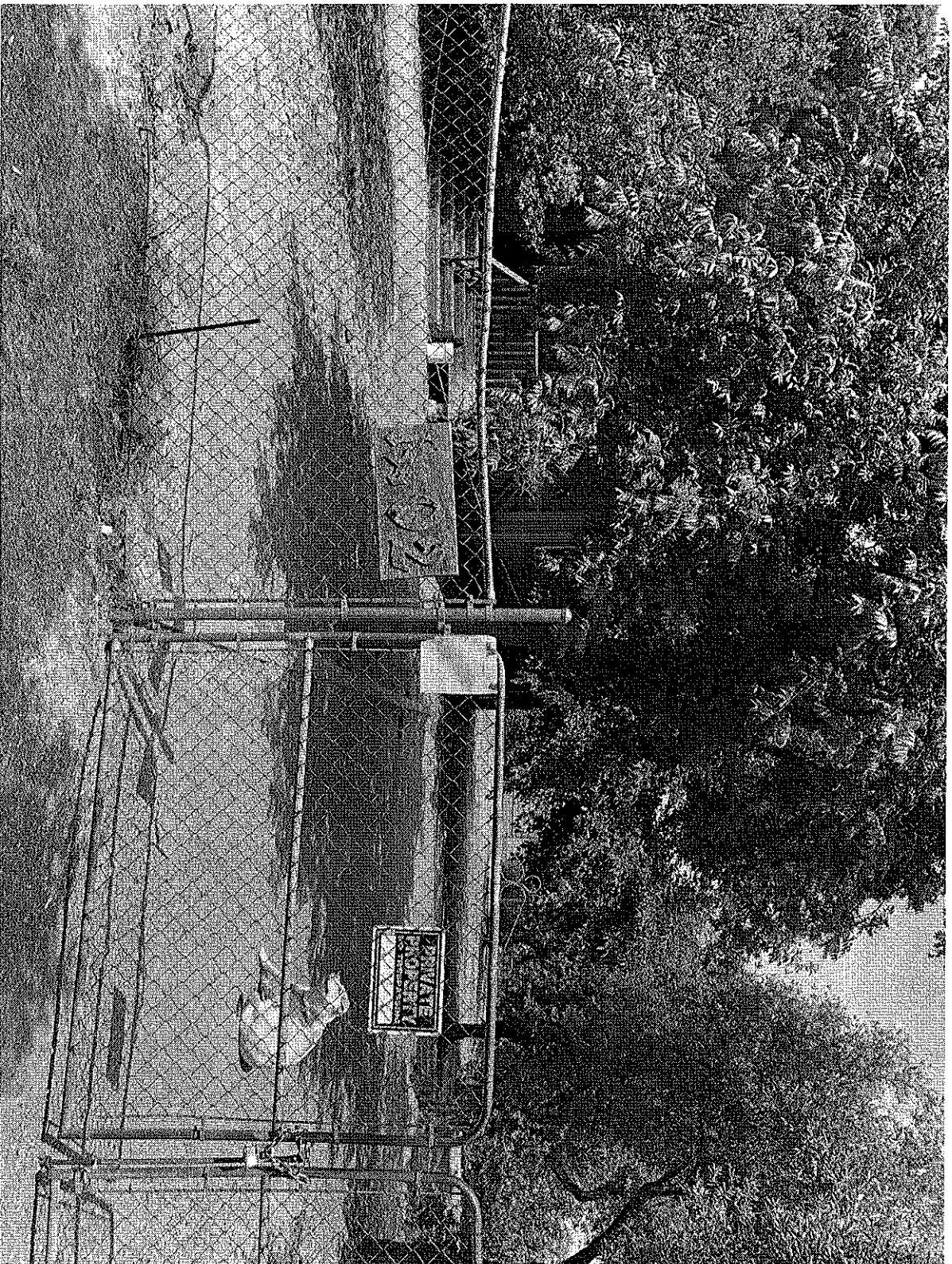
APN: 030-041-021

CASE #: CE18-0806

ADDRESS: 1402 TEHAMA AVE

DATE: 8/22/18

CEO: MF



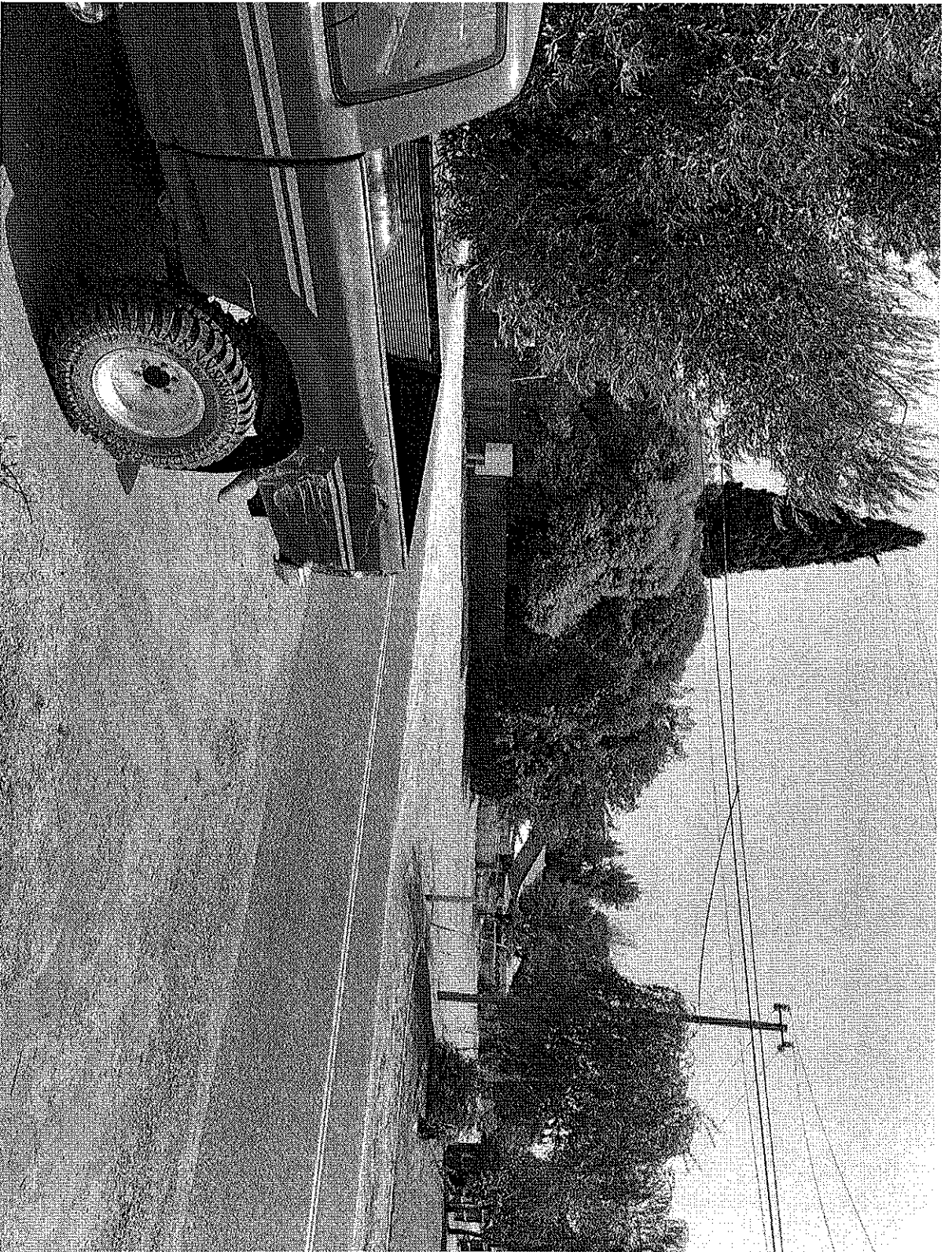
APN: 030-041-021

CASE #: CE18-0806

ADDRESS: 1402 TEHAMA AVE

DATE: 8/22/18

CEO: MF



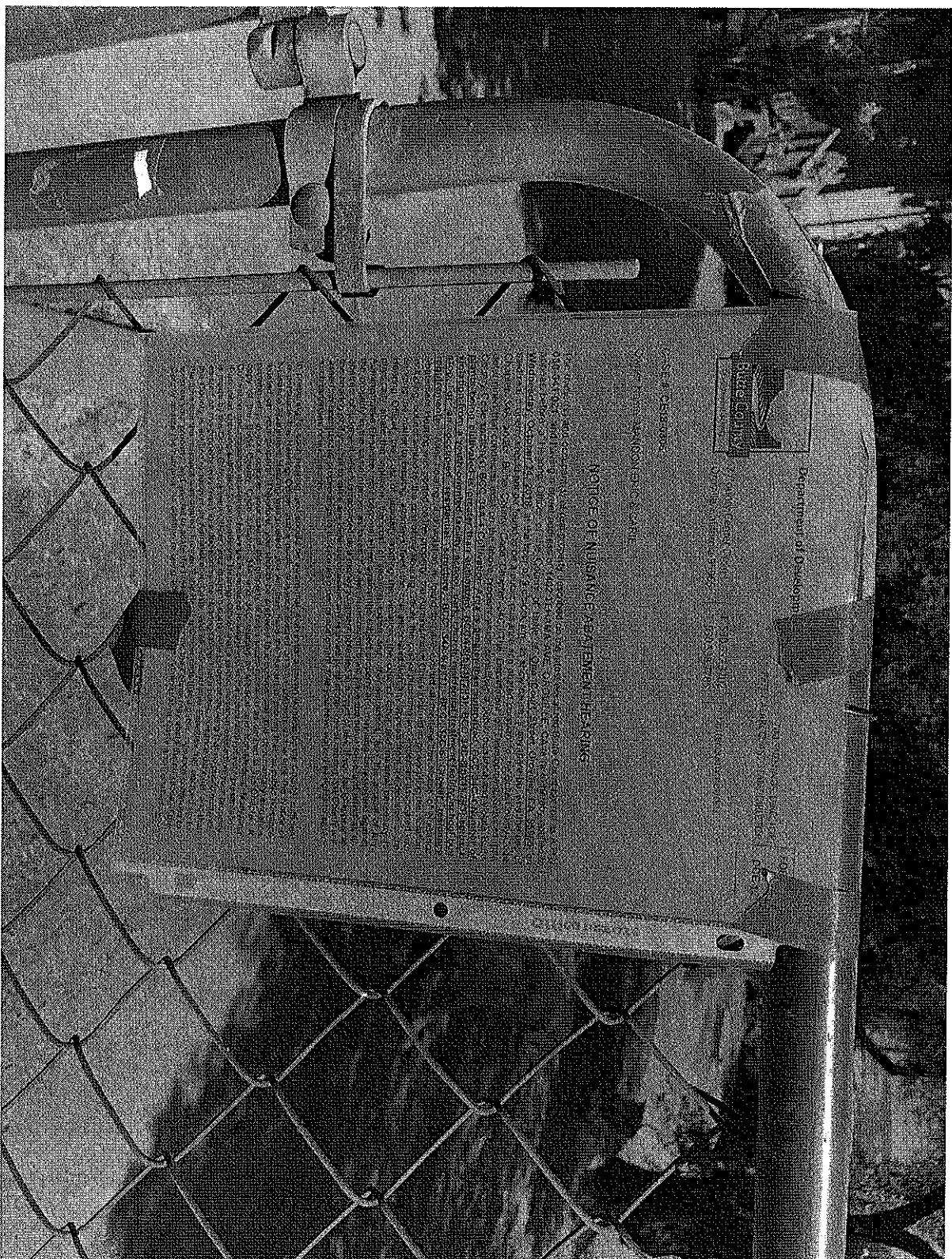
APN: 030-041-021

CASE #: CE18-0806

ADDRESS: 1402 TEHAMA AVE

DATE: 9/5/18

CEO: MF



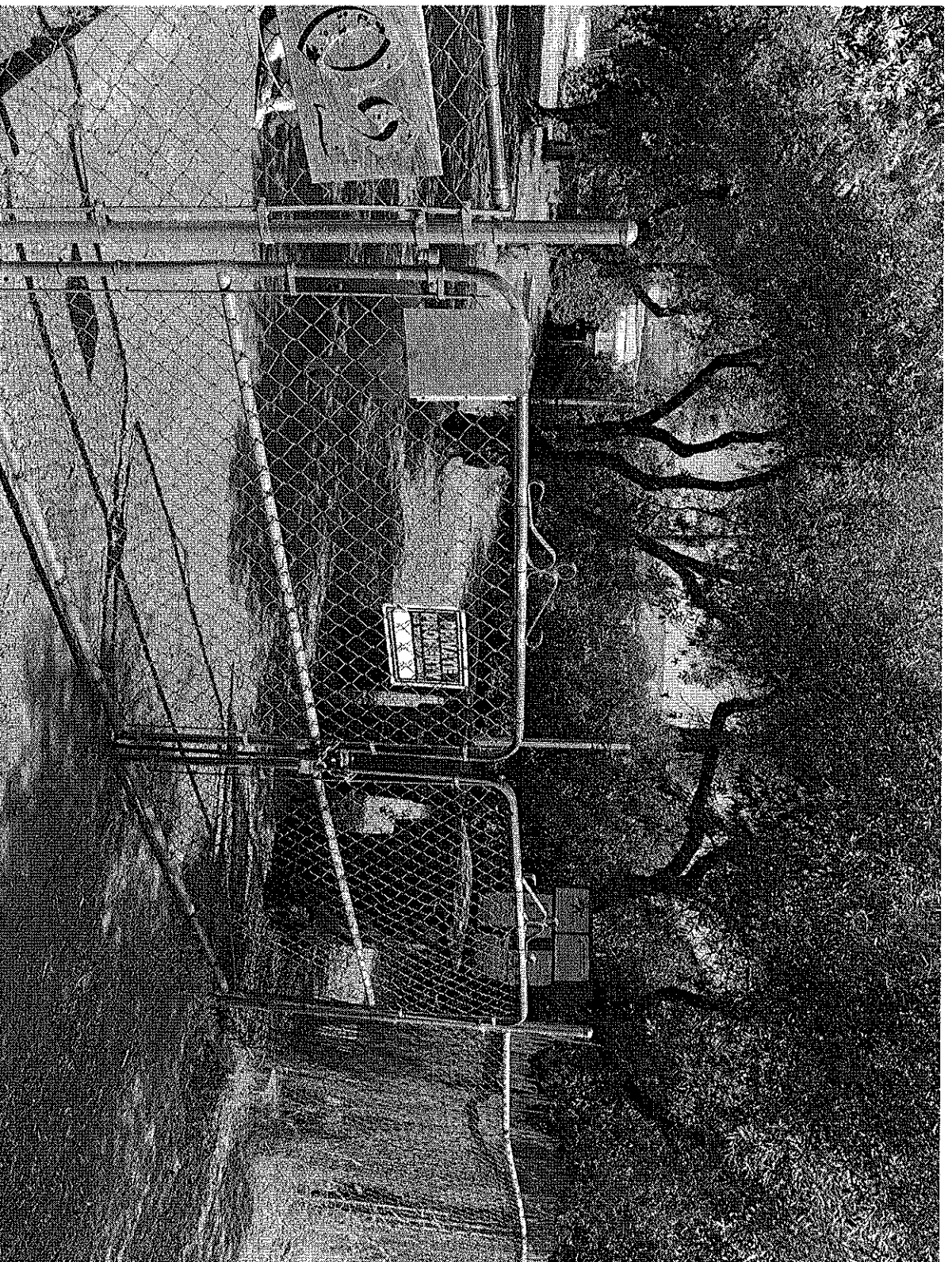
APN: 030-041-021

CASE #: CE18-0806

ADDRESS: 1402 TEHAMA AVE

DATE: 9/5/18

CEO: MF



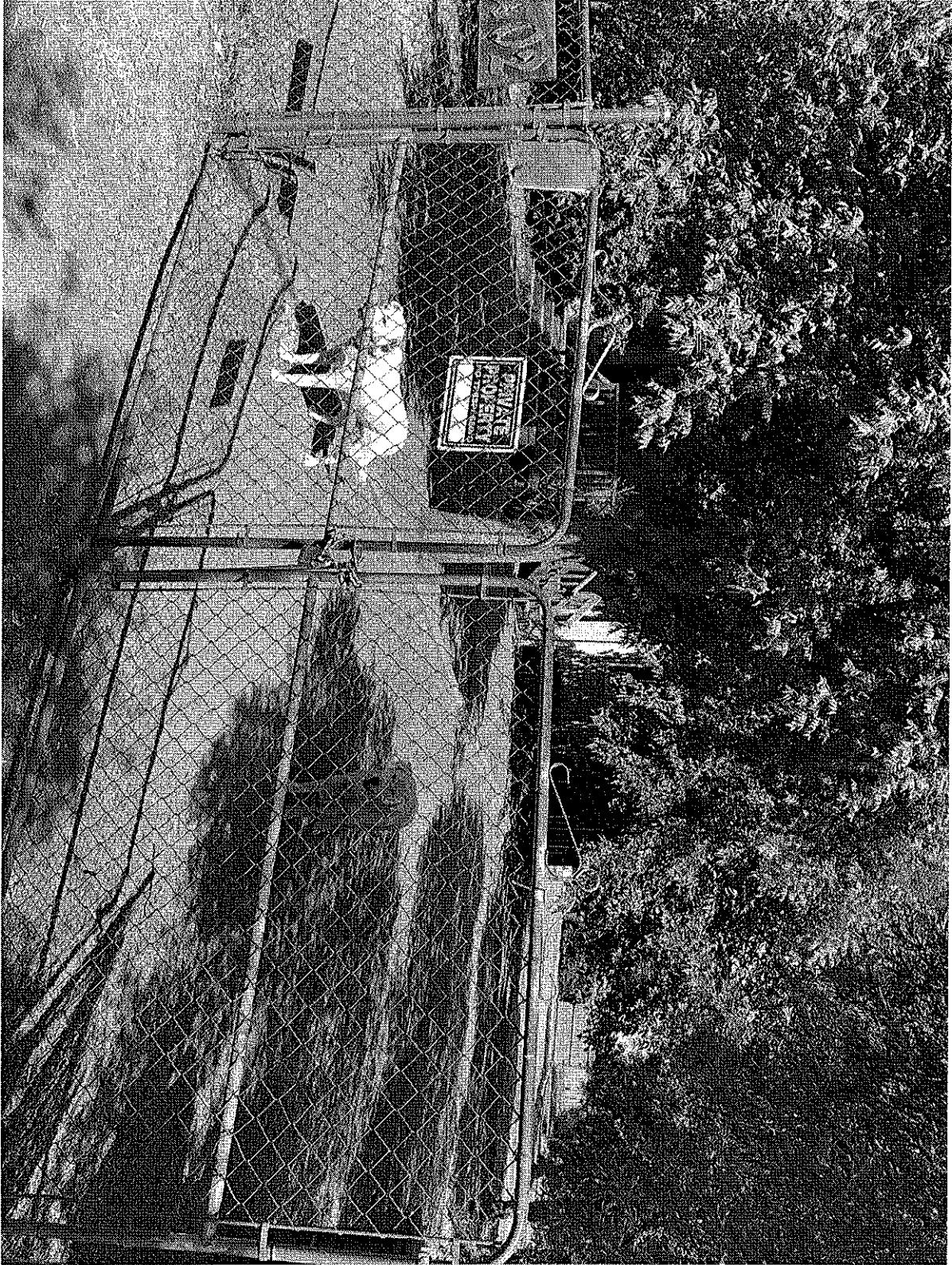
APN: 030-041-021

CASE #: CE18-0806

ADDRESS: 1402 TEHAMA AVE

DATE: 9/5/18

CEO: MF



APN: 030-041-021

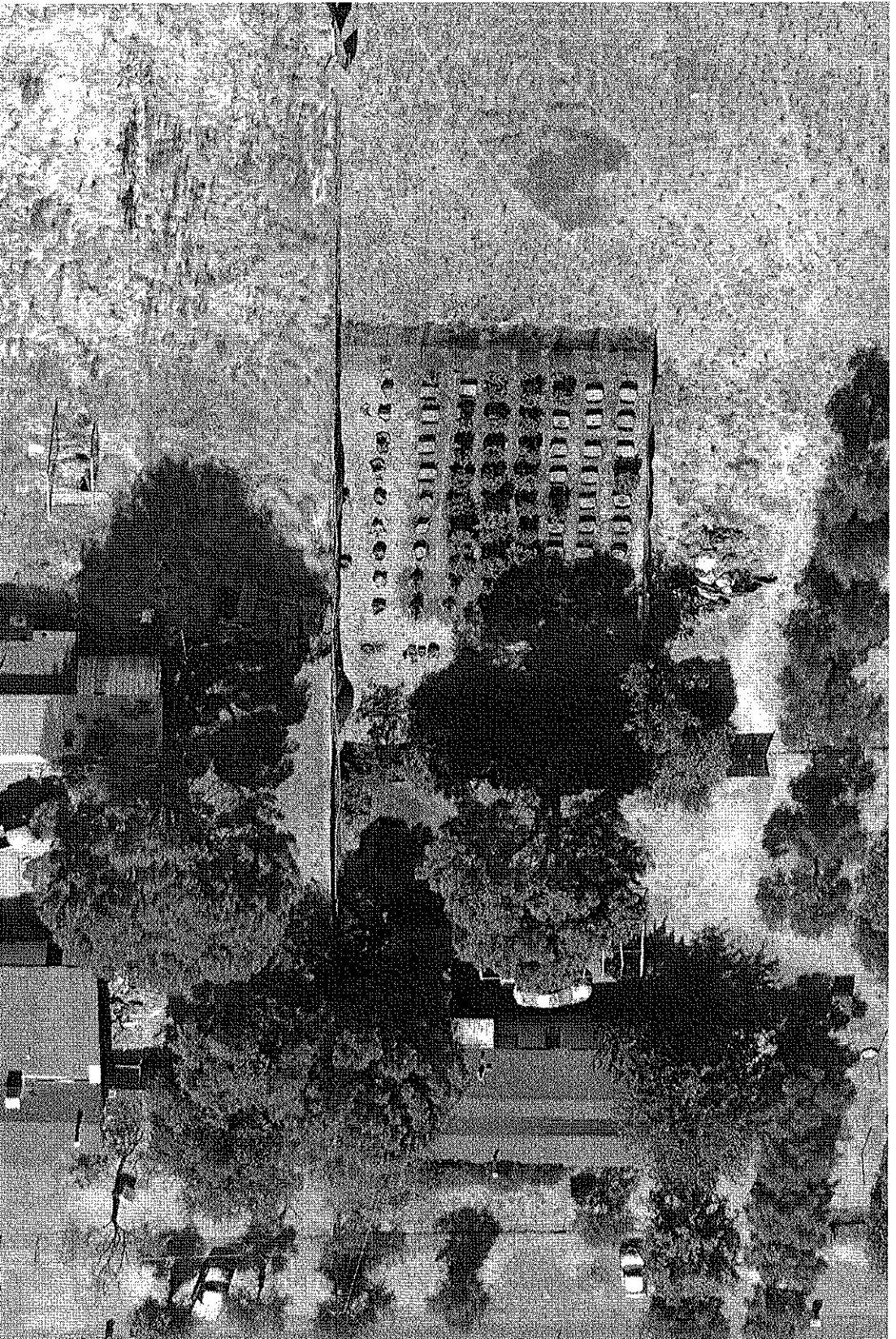
CASE #: CE18-0806

ADDRESS: 1402 TEHAMA AVE

DATE: 10/2/18

CEO: MF

FLY OVER PHOTOS TAKEN BY WILLIAMS AND LAWTON



APN: 030-041-021

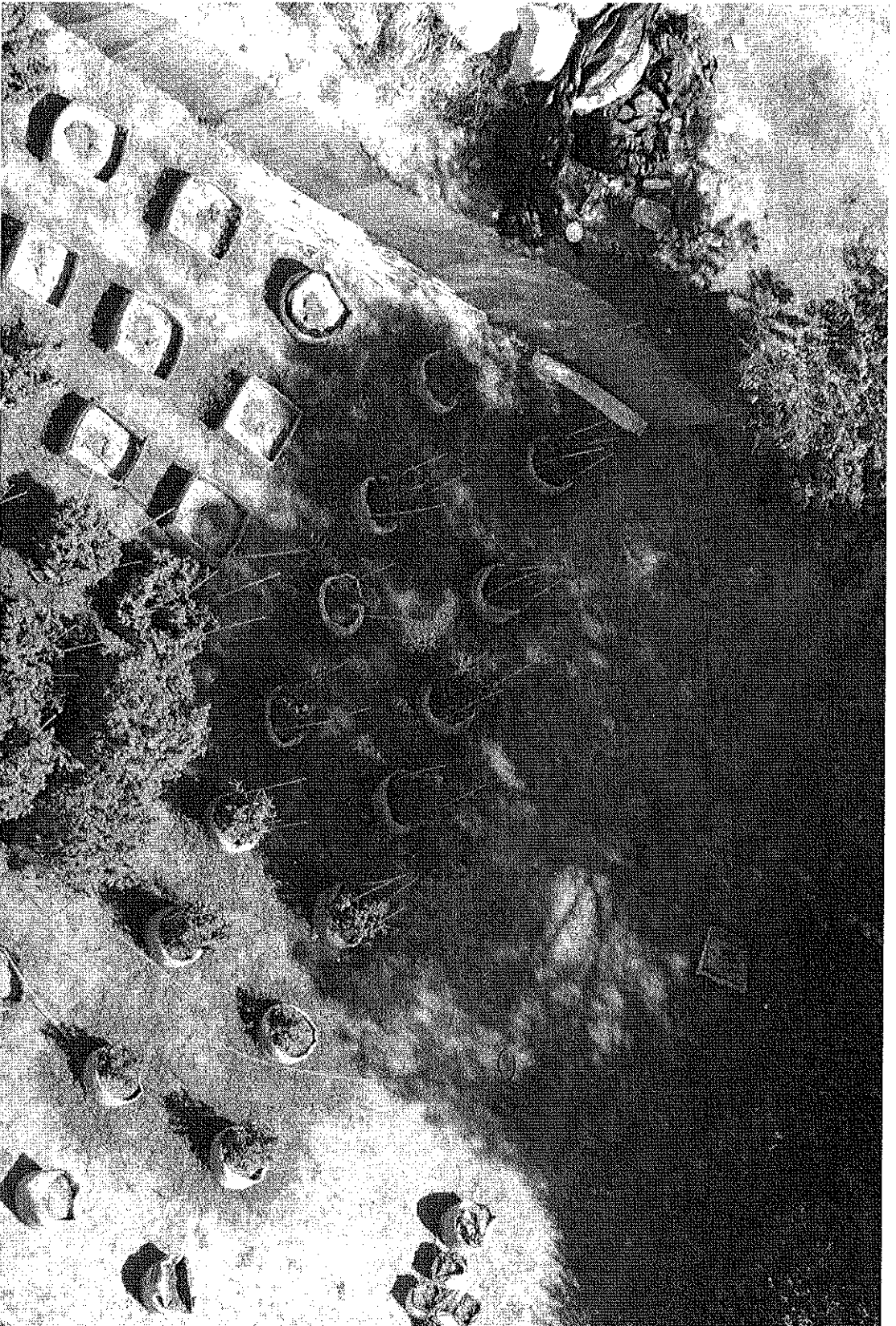
CASE #: CE18-0806

ADDRESS: 1402 TEHAMA AVE

DATE: 10/2/18

CEO: MF

FLY OVER PHOTOS TAKEN BY WILLIAMS AND LAWTON



APN: 030-041-021

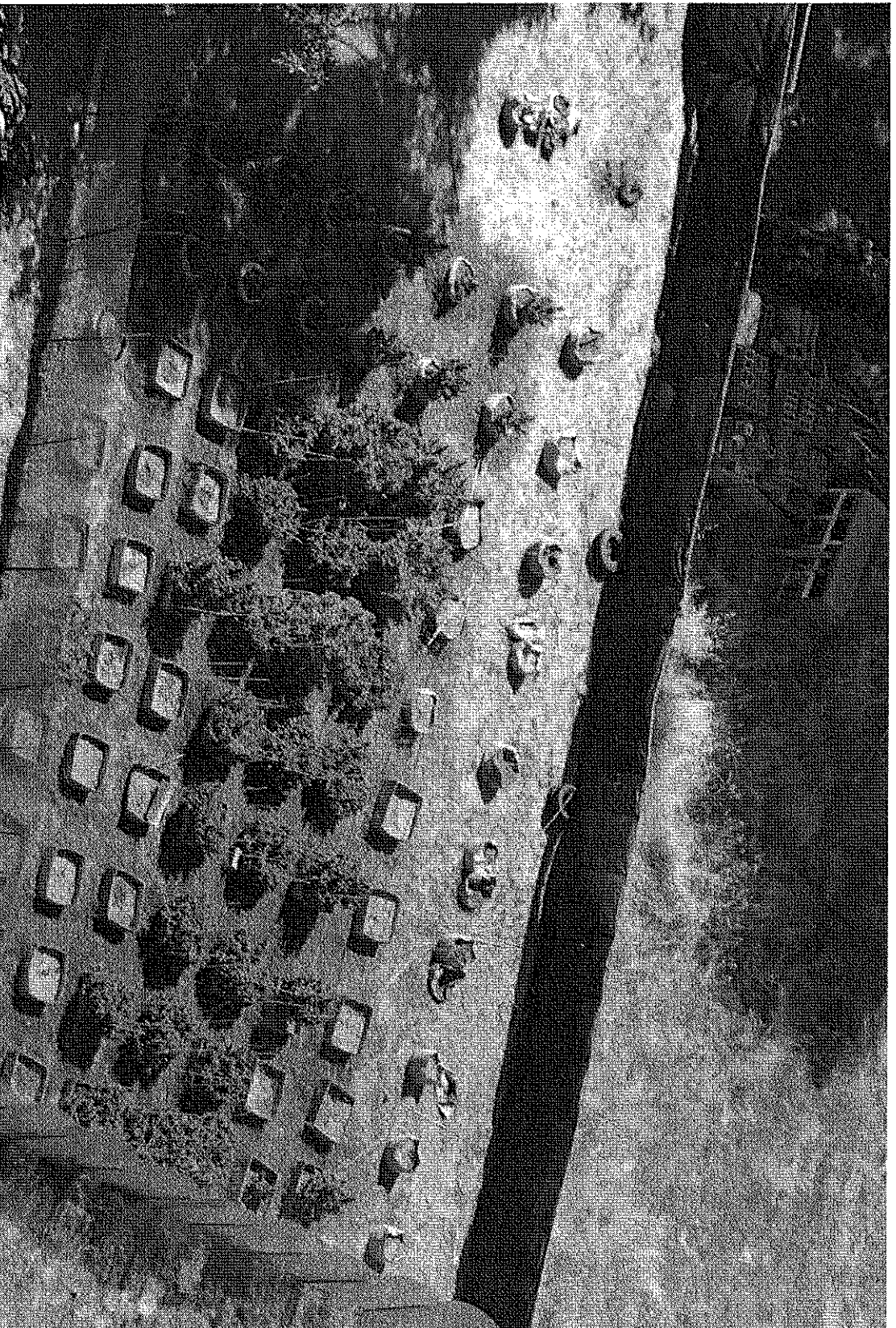
CASE #: CE18-0806

ADDRESS: 1402 TEHAMA AVE

DATE: 10/2/18

CEO: MF

FLY OVER PHOTOS TAKEN BY WILLIAMS AND LAWTON



APN: 030-041-021

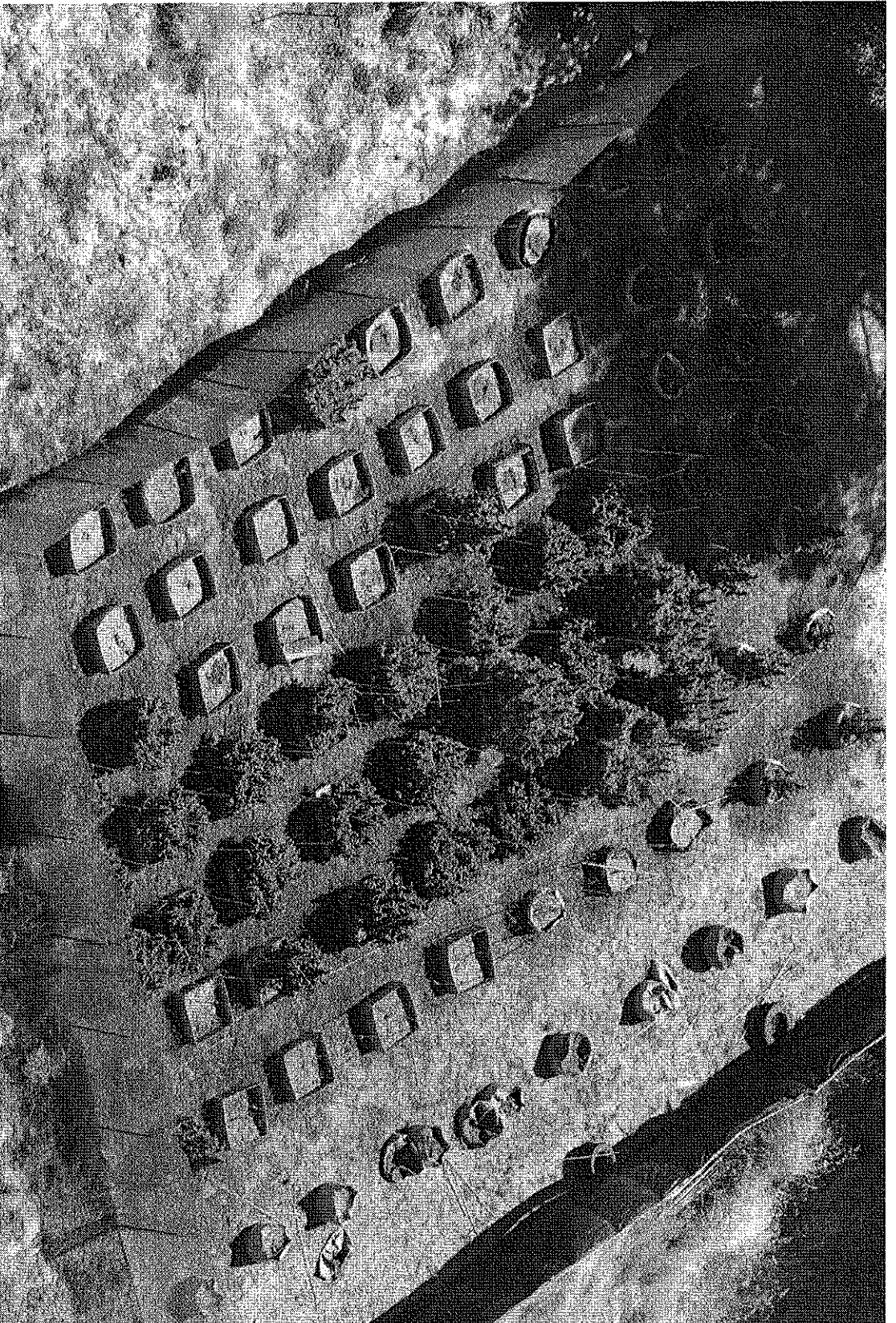
CASE #: CE18-0806

ADDRESS: 1402 TEHAMA AVE

DATE: 10/2/18

CEO: MF

FLY OVER PHOTOS TAKEN BY WILLIAMS AND LAWTON



APN: 030-041-021

CASE #: CE18-0806

ADDRESS: 1402 TEHAMA AVE

DATE: 8/17/18

CEO: MF



APN: 030-041-021

CASE #: CE18-0806

ADDRESS: 1402 TEHAMA AVE

DATE: 8/17/18

CEO: MF



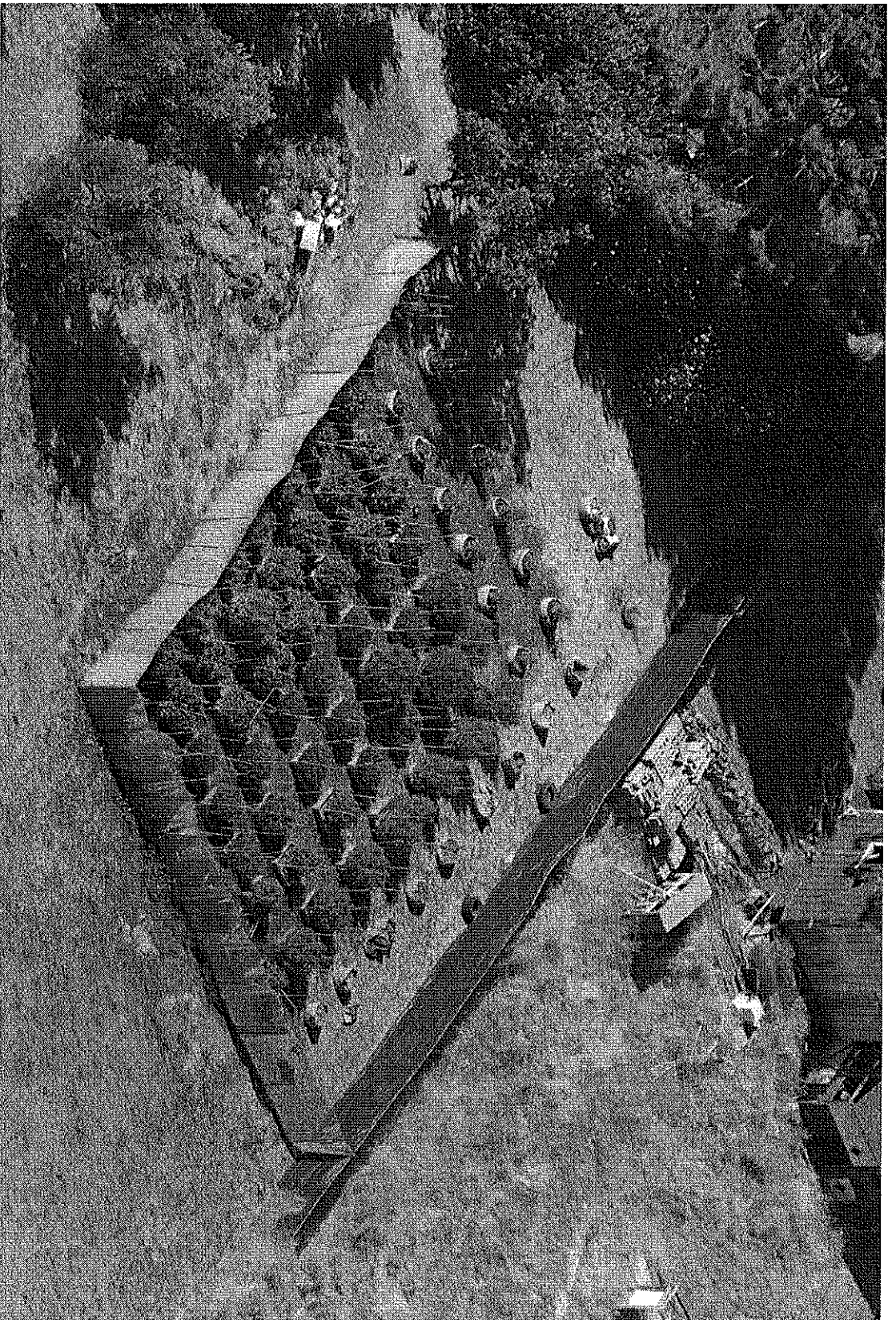
APN: 030-041-021

CASE #: CE18-0806

ADDRESS: 1402 TEHAMA AVE

DATE: 8/17/18

CEO: MF



APN: 030-041-021

CASE #: CE18-0806

ADDRESS: 1402 TEHAMA AVE

DATE: 8/17/18

CEO: MF



APN: 030-041-021

CASE #: CE18-0806

ADDRESS: 1402 TEHAMA AVE

DATE: 11/2/18

CEO: MF

FLY OVER PHOTOS TAKEN BY WILLIAMS AND TORRES MARIJUANA ABATED



APN: 030-041-021

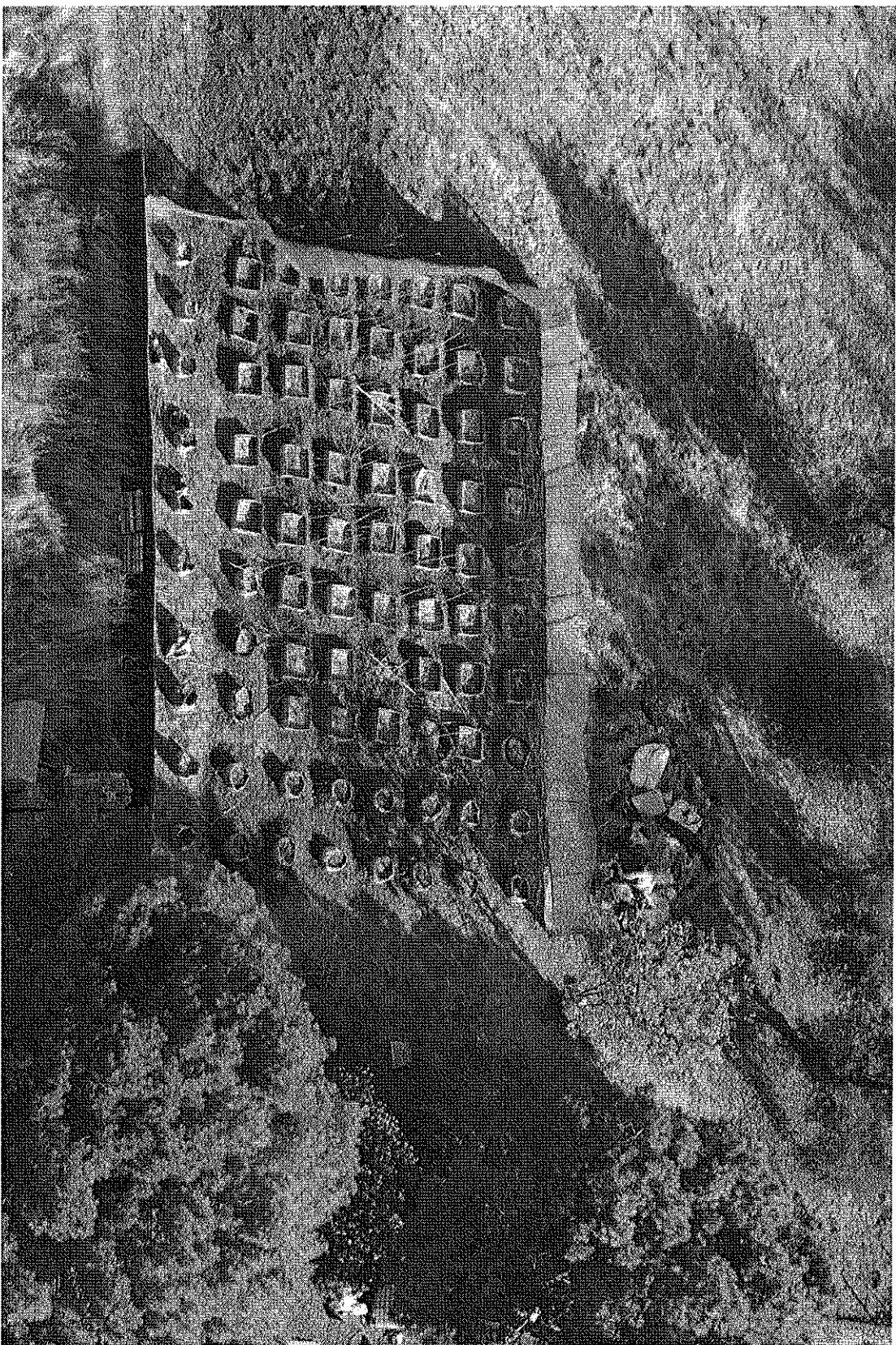
CASE #: CE18-0806

ADDRESS: 1402 TEHAMA AVE

DATE: 11/2/18

CEO: MF

FLY OVER PHOTOS TAKEN BY WILLIAMS AND TORRES MARIJUANA ABATED





BOARD OF SUPERVISORS

Administration Center
25 COUNTY CENTER DRIVE, SUITE 200 - OROVILLE, CALIFORNIA 95965
Telephone: (530) 552-3300

BILL CONNELLY
First District
DEBRA LUCERO
Second District
TAMI RITTER
Third District
STEVE LAMBERT
Fourth District
DOUG TEETER
Fifth District

March 18, 2019

Eric Mandon & Carie Mandon
1402 Tehama Ave
Oroville, CA 95965

Keith Allen
1402 Tehama Ave
Oroville, CA 95965

NOTICE OF PROPOSED LIEN AND SPECIAL ASSESSMENT HEARING

To the Property Owners of: APN 030-041-021
1402 Tehama Avenue, Oroville, CA 95965
Case: CE18-0806

You are hereby notified that the Department of Development Services, pursuant to Butte County Code Chapter 34A, has incurred costs associated with the abatement of a public nuisance on the following parcel: APN 030-041-021; 1402 Tehama Avenue, Oroville, CA 95965; Case: CE18-0806, and proposes to record a lien and impose a special assessment to recover said costs. The amount of the proposed lien and special assessment totals \$69,419.05, which constitutes the Department of Development Services' abatement and administrative costs to abate the public nuisance on the above property.

You are also hereby notified that the Board of Supervisors will hear and consider objections and protests to the proposed lien and special assessment on April 9, 2019, at 10:30 a.m., in the Board of Supervisors Chambers, 25 County Center Drive, Suite 205, Oroville, CA.

If the Board of Supervisors determines that the proposed lien and special assessment are authorized, the lien will be recorded against the property in the Office of the County Recorder and will be placed on the County tax roll as a special assessment.

Shari McCracken
Clerk of the Board

PROOF OF SERVICE

I am a citizen of the United States and employed in the County of Butte; I am over the

age of eighteen years and not a party to the within action. My business address is Butte County

Administration, 25 County Center Drive, Suite 200, Oroville, California 95965. I am readily

familiar with the County's practice for collection and processing of correspondence/documents

for mailing with the United States Postal Service and that said correspondence/documents are

deposited with the United States Postal Service in the ordinary course of business on the same

day.

On March 18, 2019, I served the within *Notice of Proposed Lien and Special*

Assessment Hearing on the interested parties in said action by placing a true copy thereof in

envelopes and following ordinary business practices, said envelopes were sealed and placed for

mailing and collection (in the offices of the Butte County Administration Building) in the

appropriate place for mail collected for deposit with the United States Postal Services on the

above date and addressed as indicated below:

Eric Mandon & Carrie Mandon
1402 Tehama Ave
Oroville, CA 95965
PO Box 151
Hydesville, CA 95547

Keith Allen
1402 Tehama Ave
Oroville, CA 95965

I declare under penalty of perjury that the foregoing is true and correct under the laws of

the State of California and that this declaration was executed this March 18, 2019, at Oroville,

California.

Ashley Snyder
Assistant Clerk of the Board

Butte County Department of Development Services

Nuisance Abatement Hearing
Re: APN 030-041-021; CE18-0806

Street Address: 1402 Tehama Avenue, Thermalito, CA
Hearing Date: Wednesday, October 24, 2018

Summary of Decision

- The cultivation of medical and non-medical marijuana on the subject property violates Chapters 34A-4 and 34C-4 of the Butte County Code and constitutes a public nuisance;
- The fact of property ownership was established by the evidence;
- The adequacy of the 72-Hour Notice to Abate and the Notice of Nuisance Abatement Hearing was established by the evidence;
- The nuisance still existed on the property as of 10/02/18 based on photos taken by the Butte County Code Enforcement Office; and
- The County may recover administrative costs incurred regarding this hearing, as well as any Administrative penalties, and costs of abatement, as set forth herein, pursuant to Chapters 34A-16(b) and 34C-16(b).

Appearances & Conduct of Hearing

The Nuisance Abatement Hearing in the above-referenced matter was held on 10/24/18 at One Court Street, Oroville, California. Appearances were as follows:

- Maria L. Winter, Esq. - Hearing Officer
- Roger Wilson - Chief Deputy Butte County Counsel
- Matthew Fuchs - Butte County Code Enforcement Officer
- Shawn Williams - Butte County Code Enforcement Officer
- Keith Allen - Tenant/Grower at property
- There was no appearance on behalf of the property owner

Mr. Wilson gave a brief opening statement and then proceeded with sworn testimony from Mr. Fuchs followed by Mr. Williams. The property owners, Eric and Carrie Mandon, did not appear. Mr.

for the property. These coordinates were entered into the helicopter navigation system for the flyover.

On 08/17/18, Mr. Williams participated in the first helicopter flyover of the property. He explained that the four pages of photos located at Exhibit E were taken during the flyover. Some of the photos were digitally magnified for viewing during the hearing.

Mr. Williams provided these photos to Mr. Fuchs for review and further investigation. According to Mr. Fuchs, the photos show a grow of about 70 marijuana plants in an area of 1,500 square feet. The testimony of the officers regarding the photos supported their finding that the plants in the photos are marijuana.

Based on the flyover, GIS mapping, and photos taken on 08/17/18, Mr. Fuchs again visited the property on 08/22/18 and posted a 72-Hour Notice To Abate. (Ex. "F") This was also served by mail on 08/23/18 on the property owners, Eric and Carie Mandon at both the property address and at the Hydesville P.O. Box that was listed on the Assessor's record.

The 72-Hour Notice To Abate detailed the following violations of Butte County Code Chapter 34:

1. Cultivation are is greater than authorized size;
2. Number of plants being cultivated is greater than authorized;
3. Setback violation from a school bus stop; and
4. Grower residency requirements.

No response was received to the 72-Hour Notice.

Mr. Fuchs testified that he returned to the property on 09/05/18 to post a Notice of Nuisance Abatement Hearing regarding the 10/24/18 hearing date. (Ex. "H") This notice was served by mail on the property owners at the property address and the Hydesville P.O. Box on 09/05/18 and posted on the gate to the property by Mr. Fuchs. (Ex. "H") The 72-Hour Notice was no longer on the gate.

Mr. Fuchs testified that no response was received from the property owners to the Notice of Hearing, but Mr. Allen, the tenant on the property came to the Code Enforcement office on the day prior to the hearing. At the hearing, Mr. Allen stated he has been the tenant on the property for four years, he grows the marijuana on the property, and has spoken to the owners, Eric and Carie Mandon, about the plants growing on the property. He stated he has been hospitalized recently due to an injury. He did not dispute the number of plants being grown on the property and stated that he accepts full responsibility and told this to the Mandons regarding fines that may be assessed.

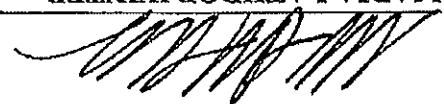
Conclusions of Law

Based on the foregoing facts, it is my opinion that Butte County has met its burden of proof in demonstrating that the cultivation of marijuana on the subject property violated Chapters 34A and 34C of the Butte County Code and, hence, constituted a public nuisance. This conclusion is based on the fact that, at the time of the helicopter flyovers, both the area under cultivation and the number of marijuana plants exceeded the limitations imposed by Chapters 34A-4 and 34C-4 for the cultivation of medical and non-medical marijuana.

Decision

As of 10/02/18, the nuisance still existed on the property and the County may recover reasonable costs incurred to abate the nuisance, if necessary. As the prevailing party in this administrative action, the County may recover its costs reasonably incurred in bringing this matter to administrative hearing, including administrative costs, as well as administrative penalties as set forth in Exhibit "J."

DATED: October 24, 2018


MARIA LATHROP WINTER
Hearing Officer

Clerk-Recorder's Department
 County of Butte
 CANDACE J. GRUBBS
 County Clerk-Recorder



2019-0020177 4/18/2019 12:37:00 PM

REC FEE 18.00

CONFORMED COPY 0.00

LIEN NOTICE 14.00

SB2 TAX EXEMPT 0.00

Total Charges 32.00

JOURNAL 32.00

Total Tendered 32.00

Change .00

4/18/2019 12:37:23 PM 2019041800175

KL ECR-REC-11

Thank You



Requested By B. C. Development Services

Clerk-Recorder's Department
 County of Butte
 CANDACE J. GRUBBS
 County Clerk-Recorder



2018-0036964 10/30/2018 12:07:00 PM
 REC FEE 33.00
 CONFORMED COPY 0.00
 SB2 TAX EXEMPT 0.00
 OCT 31 2018

Total Charges 33.00
 JOURNAL 33.00
 Total Tendered 33.00
 Change 0.00

10/30/2018 12:12:02 PM
 2018103000132
 ECR-REC-11
 Thank You



Requested By B.C. Development Services